



UNITED STATES PATENT AND TRADEMARK OFFICE

Office of Petitions

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov



ADVANTAGE PARTNERS IP, LLC
P. O. BOX 910377
SAN DIEGO, CA 92121-0377

COPY MAILED

AUG 24 2005

OFFICE OF PETITIONS

In re Application of :
Alan L. Backus, et al. :
Application No. 10/039,395 :
Filed: November 7, 2001 :
Attorney Docket No. 45891/GSL/A641 :

ON PETITION

RECEIVED

FEB 24 2006

OFFICE OF PETITIONS

This is a decision on the petition under 37 CFR 1.137(b), filed June 6, 2005, to revive the above-identified application.

The petition is **DISMISSED**.

Any request for reconsideration of this decision must be submitted within TWO (2) MONTHS from the mail date of this decision. Extensions of time under 37 CFR 1.136(a) are permitted. The reconsideration request should include a cover letter entitled "**Renewed Petition under 37 CFR 1.137(b)**." This is **not** final agency action within the meaning of 5 U.S.C. § 704.

The issue fee has been received however; there is no indication that corrected formal drawings as required by the Notice of Allowability dated April 20, 2004, was submitted with the instant petition. This application cannot be revived until corrected formal drawings have been submitted. For applicant's convenience, a copy of the notice of draftsperson's patent drawing review dated April 14, 2004, is enclosed.

There is no indication that the petitioner has submitted an Issue Fee Transmittal Form (PTOL-85b). Accordingly, if petitioner desires to have the information normally found thereon printed on the patent, the attached blank Issue Fee Transmittal Form should be completed and returned with the renewed petition.

Further correspondence with respect to this matter should be addressed as follows:

By mail: Mail Stop PETITIONS
Commissioner for Patents
Post Office Box 1450
Alexandria, VA 22313-1450

By hand: Customer Service Window
Mail Stop Petitions
Randolph Building
401 Dulany Street
Alexandria, VA 22314

By fax: (571) 273-8300
ATTN: Office of Petitions

Telephone inquiries concerning this decision should be directed to the undersigned at
(571) 272-3229.



Retta Williams
Petitions Examiner
Office of Petitions
Office of the Deputy Commissioner
for Patent Examination Policy

Attachments to cc: Notice of Draftsperson's Patent Drawing Review and Blank Issue Fee
Transmittal Form, PTOL-85b.

Form PTO-948 (Rev. 06/03)
Application No. 039,395U.S. DEPARTMENT OF COMMERCE
U.S. Patent and Trademark Office

NOTICE OF DRAFTSPERSON'S PATENT DRAWING REVIEW

The drawing(s) filed (insert date) 11/7/01 are:

- A. app owed by the Draftsperson under 37 CFR 1.84 or 1.152.
 B. objected to by the Draftsperson under 37 CFR 1.84 or 1.152 for the reasons indicated below. Corrected drawings are required.

1. DRAWINGS. 37 CFR 1.84(a): Acceptable categories of drawings: Black ink or Color (3 sets required).
 - Color drawings are not acceptable until petition is granted. Fig(s).
 - Pencil and non black ink not permitted. Fig(s).
2. PHOTOGRAPHS. 37 CFR 1.84(b)
 - One (1) full-tone set is required. Fig(s).
 - Photograhs may not be mounted. 37 CFR 1.84(c)
 - Photograhs must meet paper size requirements of 37 CFR 1.84(d). Fig(s).
 - Poor quality (half-tone). Fig(s).
3. TYPE OF PAPER. 37 CFR 1.84(e)
 - Paper not flexible, strong, white, and durable. Fig(s).
 - Erasures, alterations, overwritings, interlineations, folds, copy machine marks not accepted. Fig(s).
4. SIZE OF PAPER. 37 CFR 1.84(f): Acceptable sizes:
 - 21.0 cm by 27.7 cm (DIN size A4) or 21.6 cm by 29 cm (8 1/2x 11 inches)
 - All drawing sheets not the same size. Sheet(s).
 - Drawing sheets not an acceptable size. Fig(s).
5. MARGIN. 37 CFR 1.84(g): Acceptable margins: Top 2.5 cm 1 ft 2.5 cm Right 1.5 cm Bottom 1.0 cm
 - Margins: not acceptable. Fig(s).
 - Top (T) Left (L)
 - Right (R) Bottom (B)
6. VIEWS. 37 CFR 1.84(h)

REMINDER: Specification may require revision to correspond to drawing changes, e.g., if Fig. 1 is changed to Fig. 1A, Fig. 1B and Fig. 1C, etc., the specification & the Brief Description of the Drawings, must likewise be changed.

 - Views not labeled separately or properly. Fig(s).
7. SECTION & VIEWS. 37 CFR 1.84(h)(3)
 - Section & designation should be noted with Arabic or Roman numbers. Fig(s).

8. ARRANGEMENT OF VIEWS. 37 CFR 1.84(i)
 - Words do not appear on a horizontal, left-to-right fashion when page is either upright or turned so that the top becomes the right side, except for graphs. Fig(s).
9. SCALE. 37 CFR 1.84(k)
 - Scale not large enough to show mechanism without crowding when drawing is reduced in size to two-thirds in reproduction. Fig(s).
10. CHARACTER OF LINES, NUMBERS, & LETTERS. 37 CFR 1.84(l)
 - Lines, numbers & letters not uniformly thick and well defined, clean, durable, and black (poor line quality). Fig(s).
11. SHADING. 37 CFR 1.84(m)
 - Solid black areas pale. Fig(s).
 - Solid black shading not permitted. Fig(s).
12. NUMBERS, LETTERS, & REFERENCE CHARACTERS. 37 CFR 1.84(p)
 - Numbers and reference characters not plain and legible. Fig(s).
 - Figure legends are poor. Fig(s).
 - Numbers and reference characters not oriented in the same direction as the view. 37 CFR 1.84(p)(1) Fig(s).
 - English alphabet not used. 37 CFR 1.84(p)(2) Fig(s).
 - Numbers, letters and reference characters must be at least 32 cm (1/8 inch) in height. 37 CFR 1.84(p)(3). Fig(s).
13. LEAD LINES. 37 CFR 1.84(q)
 - Lead lines missing. Fig(s).
14. NUMBERING OF SHEETS OF DRAWINGS. 37 CFR 1.84(t)
 - Sheets not numbered consecutively, and in Arabic numbers beginning with number 1. Sheet(s).
15. NUMBERING OF VIEWS. 37 CFR 1.84(v)
 - Views not numbered consecutively, and in Arabic numerals, beginning with number 1. Fig(s).
16. DESIGN DRAWINGS. 37 CFR 1.152
 - Surface shading shown not appropriate. Fig(s).
 - Solid black surface shading is not permitted except when used to represent the color black as well as color contrast. Fig(s).

COMMENTS

Reviewer Bjorn Grotz Date 4-14-04
If you have questions, call (703) 305-8404.

Attachment to Paper No. _____

PART B - FEE(S) TRANSMITTAL

Complete and send this form, together with applicable fee(s), to: **Mail**

**Mail Stop ISSUE FEE
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450**

or Fax (703) 746-4000

INSTRUCTIONS: This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 4 should be completed where appropriate. All further correspondence including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address as indicated unless corrected below or directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" for maintenance fee notifications.

CURRENT CORRESPONDENCE ADDRESS (Note: Legibly mark up with any corrections or use Block 1)

7590 04/20/2004

AdVantage Partners IP, LLC
P.O. Box 910377
San Diego, CA 92121-0377

Note: A certificate of mailing can only be used for domestic mailings of the Fee(s) Transmittal. This certificate cannot be used for any other accompanying papers. Each additional paper, such as an assignment or formal drawing, must have its own certificate of mailing or transmission.

Certificate of Mailing or Transmission

I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Mail Stop ISSUE FEE address above, or being facsimile transmitted to the USPTO, on the date indicated below.

(Depositor's name)
(Signature)
(Date)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/039,395	11/07/2001	Alan L. Backus	45891/GSL/A641	3764

TITLE OF INVENTION: SIMPLIFIED DEVICE TO QUICKLY COOK FOOD

APPLN. TYPE	SMALL ENTITY	ISSUE FEE	PUBLICATION FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	YES	\$665	\$300	\$965	07/20/2004
EXAMINER	ART UNIT		CLASS-SUBCLASS		
BECKER, DREW E	1761		099-326000		

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).

Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.

"Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev 03-02 or more recent) attached. Use of a Customer Number is required.

2. For printing on the patent front page, list (1) the names of up to 3 registered patent attorneys or agents OR, alternatively, (2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed.

1 _____
2 _____
3 _____

3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. Inclusion of assignee data is only appropriate when an assignment has been previously submitted to the USPTO or is being submitted under separate cover. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE

(B) RESIDENCE: (CITY and STATE OR COUNTRY)

Please check the appropriate assignee category or categories (will not be printed on the patent): individual corporation or other private group entity government

4a. The following fee(s) are enclosed:

4b. Payment of Fee(s):

Issue Fee
 Publication Fee
 Advance Order - # of Copies _____

A check in the amount of the fee(s) is enclosed.
 Payment by credit card. Form PTO-2038 is attached.
 The Director is hereby authorized to charge the required fee(s), or credit any overpayment, to Deposit Account Number _____ (enclose an extra copy of this form).

Director for Patents is requested to apply the Issue Fee and Publication Fee (if any) or to re-apply any previously paid issue fee to the application identified above.

(Authorized Signature)	(Date)	<p>NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant, a registered attorney or agent, or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office.</p> <p>This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Alexandria, Virginia 22313-1450.</p> <p>Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.</p>
------------------------	--------	--

TRANSMIT THIS FORM WITH FEE(S)